



Oregon

Kate Brown, Governor

Oregon Department of Corrections

Religious Services
OSCI Residence 3
3405 Deer Park Dr. SE
Salem, OR 97310
Phone: 503-378-2534
Fax: 503-378-2648

April 27, 2020



AIC Douglas, Damien, SID #10131429
Oregon State Penitentiary
2605 State St.
Salem, OR 97310

Dear Damien Douglas,

This letter is in response to your Final Grievance Appeal, #OSP-2020-02-001AA, in which you allege you have never been asked to keep the noise down during a religious services activity.

I have reviewed your appeal, as well as all prior documentation relating to this grievance. Not only volunteers, as you mentioned, but Chaplains from the department's Religious Services Unit have had to respond to this event and have asked the Adults in Custody to quiet down and refrain from vulgar language. OAR 291-143-0130 allows the Department of Corrections to restrict religious services activities when deemed necessary. There does not need to be "fist fights" to have safety and security concerns or to take restrictive action. The chapel is to be a place of reverence and not loud vulgar talking. I understand your desire to comply with the group prayer tradition of your religious affiliation however, when this cannot be accomplished in an orderly, safe and secure fashion, the Department of Correction has the authority and must take action to ensure the experience is safe and secure for all.

Thank you for addressing your concerns appropriately. This concludes the grievance review process for this matter.

Sincerely,

Daryl Borello
Administrator

cc: A. Kidwell, Grievance Coordinator

SENT

APR 30 2020

OSP/MCCF GRIEVANCE OFFICE

Grievance # OSP-2020-02-001AA

Official Use Only

Resubmit

GRIEVANCE APPEAL FORM

Name: Douglas D OSP#10131429 E 432
 Last First Initial SID# Cell/Block/Bunk #

List in detail all the reasons you disagree with the original grievance response or initial appeal response. (For the initial appeal, attach original grievance form and staff response. For the final appeal, attach the initial appeal form and response as well as the original grievance and response.)

I'm appealing Young's response because it's full of lies because Stallmecker never came and asked me or the NOI Sunday Prayer Service to quiet down nor has any volunteer has ever asked me or the NOI Service to quiet down. The NOI & UPL Services is separated by a folding wall and the UPL's volunteers has never asked me or the NOI service to quiet down. The above is lies and is being used to justify cancelling the Jan. 17th, 2020, Prayer Service. I'm dropping this in the grievance box on 3.25.20 @ approx. 6:35am

Describe what action you want taken to resolve the grievance appeal if different from original grievance submission.

Open the NOI Prayer ~~Service~~ Service

3.25.20
Date

DR
Signature

Receiving Facility (If not processing facility)
Date Stamp

Received at Processing Facility RECEIVED MAR 25 2020 OSP/MCCF GRIEVANCE OFFICE
Date Stamp

Accepted/Denied/RFC ACCEPTED MAR 26 2020 OSP/MCCF GRIEVANCE OFFICE
Date Stamp

Accepted/Denied/RFC
Date Stamp

For grievance information see back page. Distribution: Green (Original grievance form); Goldenrod (Inmate receipt after processed)

CD 117C (10/2019)



Oregon

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Religious Services
OSCI Residence 3
3405 Deer Park Dr. SE
Salem, OR 97310
Phone: 503-378-2534
Fax: 503-378-2648

March 13, 2020



AIC Douglas, Damien, SID #10131429
Oregon State Penitentiary
2605 State St.
Salem, OR 97310

Dear Mr. Douglas,

This letter is in response to your Initial Grievance Appeal, #OSP_2020_02_001A, in which you claim there is no safety or security concern with NOI Jummah Prayer.

I have reviewed your appeal, as well as all prior documentation relating to this grievance. On occasion, the Adults in Custody (AICs) at Jummah Prayer were being loud and using inappropriate language. Both Chaplain Stahlnecker and Chaplain Thompson, from their respective offices, could hear loud voices coming from the room. Chaplain Stahlnecker had to leave his other duties to come tell the group to quiet down. There were also reports from volunteers in the rooms nearby that stated that this group has been loud a number of times and they had to leave their service to ask the group to quiet down. This type of behavior is not permitted in the chapel area. At the chapel, it is our expectation that all AICs show respectful behavior and respect the space of others.

According to OAR 291-143-0130 Restriction of Religious Activity/Items: An inmate's participation in approved religious activities and possession of approved religious items may be restricted by the Department of Corrections when deemed necessary to maintain facility security, safety, health and order, or to further inmate rehabilitation or other penological interest, consistent with applicable legal standards. Staff and volunteers that must leave their station to deal with a disruptive group does create a potential security risk in the chapel. Temporary suspension of the service was appropriate, based on AIC continued disruptive behavior. In consultation with our Islamic advisor, sending the weekly khutba to read in cell is an alternative when the group services cannot be accommodated.

Thank you for addressing your concerns appropriately.

Sincerely,

Stuart Young
Assistant Administrator

SENT

MAR 23 2020

OSP/MCCF GRIEVANCE OFFICE

cc: A. Kidwell, Grievance Coordinator

Grievance # OSP-2020-02-001A

Official Use Only

Resubmit

GRIEVANCE APPEAL FORM

Name: Douglas Dameion D OSP#10131429 E432
 Last First Initial SID# Cell/Block/Bunk #

List in detail all the reasons you disagree with the original grievance response or initial appeal response. (For the initial appeal, attach original grievance form and staff response. For the final appeal, attach the initial appeal form and response as well as the original grievance and response.)

I'm appealing the grievance response because cancelling the NOI Summa Prayer Service on Jan. 17th 2020, is not the least restrictive means for me to perform the mandatory Congregational Prayer that God commands me to perform in the Holy Quran in a group. There has never been any fist fights in any NOI Summa Prayer Service to justify relying on "Safety & Security" concerns or any aggressive loud arguments. Indeed, the video & audio recordings during any Summa Prayer Service will prove that there has never been any fist fights or aggressive loud arguments or any squaring off preparing to fight to justify any "Safety & Security" concerns. I'm dropping this in the grievance box on 3.9.20 @ approx. 8:15pm-

Describe what action you want taken to resolve the grievance appeal if different from original grievance submission.

Allow me to Attend the NOI Summa Prayer Service

3.9.20
Date

DR
Signature

Receiving Facility (If not processing facility)
Date Stamp

Received at Processing Facility RECEIVED MAR 10 2020 OSP/MCCF GRIEVANCE OFFICE
Date Stamp

Accepted/Denied/RFC ACCEPTED MAR 11 2020 OSP/MCCF GRIEVANCE OFFICE
Date Stamp

Accepted/Denied/RFC
Date Stamp

For grievance information see back page. Distribution: Green (Original grievance form); Goldenrod (Inmate receipt after processed)

CD 117C (10/2019)

GRIEVANCE RESPONSE FORM

TO BE FILLED OUT BY STAFFGrievance: #OSP_2020_02_001

TO: Douglas, Dameion 10131429
 Name of grievant SID #

FROM: Karuna Thompson & Dennis Stahlnecker Chaplains
 Name of respondent Title

List, in detail, action(s) taken. (What action was taken? Was the action what the inmate requested? If not, why? Who took the action? When was the action taken – date/time?)

On December 31st, due to noise issues and issues of disrespectful language at a high volume continuing from August of 2019 through December of 2019 the Nation of Islam group was suspended due to safety and security concerns. Because this was a group issue and not the behavior of a single individual the whole group was suspended. During the suspension each individual on the roster is being sent the weekly khutba (prayer) and is being provided opportunity to shower at mid-day before they say their prayers. The only suspension is the corporate prayer that has caused continuous disturbance. It is our intention to provide the least restrictive means of practice for members of this community that adhere to the safe and secure operations of our area. Attached please find a copy of the memo sent to all men on the roster.

Do not type past this line

2/21/20
 Date:

Chap. K. Stahl
Dennis Stahl
 Signature of Staff Member
 Stuart Young

Receiving Facility (if not processing facility)	Received at Processing Facility	Sent to Inmate MAR 06 2020
Date Stamp	Date Stamp	Date Stamp

OSP/MCCF GRIEVANCE OFFICE
 Signature of Supervisor (Print/Sign)

Distribution:
 White (Original grievance response form)

CD117B (10/19)




**STATE OF OREGON
DEPARTMENT OF CORRECTIONS
OREGON STATE PENITENTIARY**

INTEROFFICE MEMO

DATE: 12/31/2019

TO: NOI Community Members
FROM: Chaplain Karuna Thompson & Chaplain Dennis Stahlnecker
SUBJECT: Suspension of NOI Jumuah Prayer for 90 Days

Due to continuous issues regarding disrespectful language and behaviors in this group it will be suspended for 90 days. During this time the chapel will send people on the list for the service the weekly Khutba so that members of the community can perform their prayer independently. When the services resume again on April 3, 2019 the group will be expected to say their mandatory group prayer, read the khutbah without discussion and clear the room following the service. No lingering in the room or outside conversation will be permitted. Attached please find a copy of the Religious Services Department Procedure on Jumuah Prayer.

	Oregon Department of Corrections Religious Services Procedure
Subject:	Procedure for Chaplains to Coordinate, Facilitate and Supervise Islamic Jumuah Prayer Each Friday
Effective Date:	September 21, 2005
Decision Maker(s):	Tom O'Connor Administrator, Religious Services Paula Allen, Chief of Security Institution Security Managers
Related Rule	OAR 291-143: Religious Activities (Inmate)

Purpose

Rule 291-143-0070(1) states that a chaplain or designee in each facility shall be responsible for the "coordination, facilitation and supervision of inmate religious activities". This functional unit procedure provides guidelines for chaplains or their designees to coordinate, facilitate, and supervise Jumuah (or Friday) prayer for Muslim inmates. This procedure applies when there are no Islamic volunteers available to conduct Jumuah prayer. The procedure represents the views of the Oregon Department of Corrections about Jumuah prayer.

Definitions

Jumuah Prayer: The word Jumuah means Friday and all Muslims are expected to attend Jumuah or Friday prayer. The Holy Quran, the most sacred Islamic text, says "O you who believe! When the call is made for Friday prayer, then hasten to the remembrance of Allah and leave off business; that is better for you, if you know" (Quran 62:9).

Khutba: A khutba is a talk or a sermon that is said aloud by a speaker (the khateeb) at Jumuah prayer. The khutba should contain at least one verse from the Holy Quran and one Hadith (or saying) from the prophet Muhammad.

Procedure

- An ODOC chaplain or designee will coordinate, facilitate, and supervise Jumuah prayer each Friday when: 1) at least three inmates in the facility request Jumuah; and 2) a chaplain or designee is available to do so at the facility. When a chaplain or designee is not available, inmates may not "direct, lead, or conduct" Jumuah prayer on their own (Rule 291-143-0070(4)).
- The chaplain will assign Muslim inmates, on a rotating basis, to be responsible for different roles or parts in Jumuah. One person does the "call to prayer." One person reads the assigned Khutba. The third person (and anyone else who is present) listens to the Khutba and makes other prayers (or Rakah – standing, bowing, prostrating, and sitting). The chaplain should always seek to assign the khutba and the call to prayer only to inmates who demonstrate pro-social behavior. The person who is chose to read the khutba is not permitted to change it, or discuss its contents during Jumuah.

- Prior to Jumuah each week, a chaplain will obtain a written copy of a khutba from a Muslim source recognized by the department.
- Jumuah must take place in the afternoon during a certain time period that is allotted for Jumuah prayer by the Muslim faith.
- A staff chaplain or designee will supervise Jumuah prayer as it takes place.
- Islamic practice mandates that everyone should remain silent while preparing for and during Jumuah prayer. Therefore the chaplain or designee should encourage everyone to maintain a respectful silence during Jumuah prayer.

Grievance # OSP-2020-02-001

Official Use Only

Resubmit

GRIEVANCE FORM

Name: Douglas Dameion D OSP#10131429 E 432
 Last First Initial SID# Cell/Block/Bunk #

Whom are you grieving: Chaplain's Kenneth Thompson & Dennis Stalknecker

Please provide the date/time of incident giving rise to grievance: Jan. 17th 2020

List in detail all the reasons for your grievance. (What is the problem? When did it happen – date/time/place?) Attach copies of any documents or any material(s), which support your grievance, including the names of any persons you think should be questioned.

I'm grieving Chaplains Thompson & Stalknecker for canceling the Jan. 17th 2020 Friday obligatory NOI Summ Prayer Service. God commands me in the Holy Quran to participate in Friday Congregational Summ Prayer Service in Surah 62:9. I cannot pray this prayer by myself. The formalized conduct is knowingly being done and is a Burden on my ability to ~~grow~~ grow spiritually which amounts to a violation of my Constitutional & RLUIPA Rights.

Summ Prayer is mandatory in my religion and must be performed congregationally rather than individually.

I'm Dropping this in the grievance Box on 1/30/20 @ approx. 3:00pm

Describe what action you want taken to resolve the grievance. (How can the problem be solved?)

Every Friday there's no Summ Prayer Service is a separate claim and will be litigated as such.

1.30.20

Date

12 12

Signature

Receiving Facility (If not processing facility)
Date Stamp

Received at Processing Facility
RECEIVED
FEB 03 2020
OSP/MCCF GRIEVANCE OFFICE
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ACCEPTED
FEB 04 2020
OSP/MCCF GRIEVANCE OFFICE
Date Stamp

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Date Stamp

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CD 117 (10/2019)